
4. Environmental Consequences and Mitigation Measures

4.11 ENVIRONMENTAL JUSTICE

This section addresses the concern of whether any group of people, including racial, ethnic, or socioeconomic group, would bear a disproportionate share of adverse environmental effects from implementation of the alternatives. Consideration of environmental justice is a federal requirement based on a Presidential Executive Order 12898; there is no corresponding requirement in CEQA.

4.11.1 Key Impact Issues and Evaluation Criteria

To address environmental justice concerns, the following issues are evaluated:

- Are affected resources are used by a minority or low-income community?
- Are there minority or low-income communities disproportionately subject to environmental or human health impacts?
- Do the resources used for the project support subsistence living?

4.11.2 Environmental Consequences

The San Joaquin River Area contains high percentages of Hispanics and persons/families living below the poverty level. Unemployment is significantly higher in the project area and vicinity than in other regions of the State. Consequently, there is the potential for low-income and minority groups to be disproportionately affected. Since there are no human health impacts from any of the project alternatives (including the No Action alternative), any issues related to environmental justice are focused on environmental impacts on natural resources and potential socioeconomic impacts. There would be no discernable impact to employment from either the proposed or alternative actions, so there is no socioeconomic impact on minority or low-income groups. The principal resources used by low-income and Hispanic groups in the project area are aquatic and recreation resources.

4.11.2.1 Aquatic Resources

No Action

Existing minority and low income groups use project area rivers and reservoirs for recreational fishing. The use is not at a subsistence level where fishers rely on fish and other animals caught in the wild as a major food source. Subsistence use of the renewable natural resources is common among Native Americans. Fishing to supplement normal food sources is expected to continue.

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Proposed Action

Since implementation of the project alternatives would provide water to enhance aquatic resources (fish), this enhancement to fisheries would provide benefit to minority and low income groups who fish for recreational purposes to supplement their food sources. This beneficial impact however would not disproportionately affect low-income and minority population groups, since the benefit would be available to all fishers.

Alternative Action

Additional flows for the San Joaquin River system, regardless of the source of supplemental water, would provide positive impacts to benefit fisheries. This beneficial impact is not expected to disproportionately affect low-income and minority population groups, since the benefit would be available to all fishers.

4.11.2.2 Recreation Resources

No Action

Existing minority and low income groups in the project area use the area rivers and reservoirs for recreation. This use is expected to continue over the 1999-2010 period. It is not known whether these groups use these resources disproportionately to the overall population.

Proposed Action

The proposed action would result in water releases for stream flow enhancement for fish. These releases would concurrently provide enhanced recreation opportunities. Consequently, there would be a positive effect on low-income and minority populations' use of the project area rivers. Concerning recreation use at the reservoirs, the low-income and minority populations would benefit from increased reservoir levels at New Melones. Since the proposed action would have no impact at New Don Pedro Reservoir and Lake McClure, there would be no change to recreationists including these two groups.

Alternative Action

The Water Right Priority System alternative has an adverse impact to beach use and boating at New Don Pedro Reservoir during critical water years. Low-income and minority groups would be adversely affected but not disproportionately to other user groups. Concerning river flows, there are no significant adverse impacts to recreationists on the Stanislaus, Tuolumne, and Merced rivers from use of the alternative action. Potentially significant adverse impacts occur on the San Joaquin River

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during all years except for critical years where the impact is less than significant. These impacts would not occur disproportionately to low-income and Hispanic groups.

4.11.3 Impact Summary and Mitigation of Impacts

4.11.3.1 Aquatic Resources

Proposed Action

- Beneficial impacts to fisheries would not affect environmental justice. No mitigation is required.

Alternative Action

- Beneficial impacts to fisheries would not affect environmental justice. No mitigation is required.

4.11.3.2 Recreation Resources

Proposed Action

- Beneficial impacts to recreation in rivers and reservoirs would not affect environmental justice. No mitigation is required.

Alternative Action

- Adverse impacts to recreation at New Don Pedro Reservoir during critical water years would not affect environmental justice. No mitigation is required.
- No impacts to recreation would occur on the Stanislaus, Tuolumne, and Merced rivers; and there is no impact to environmental justice. No mitigation is required.
- Potentially significant impacts in all water years and less-than-significant impacts to recreationists on the San Joaquin River during critical years would not result in environmental justice impacts. No mitigation is required.

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